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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/792,015	03/03/2004	Trevor Arthurs	2504-019	4277
7590 03/30/2005				
Roberts Abokhair & Mardula, LLC				
Suite 1000				
11800 Sunrise Valley Drive				
Reston, VA 20191				
		EXAMINER		
		NAKARANI, DHIRAJLAL S		
		ART UNIT		
		PAPER NUMBER		
		1773		

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/792,015

Applicant(s)

ARTHURS ET AL.

Examiner

D. S. Nakarani

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-26 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 03 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/6/04 & 5/14/04.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-26 rejected under 35 U.S.C. 103(a) as being unpatentable over Peiffer et al (U.S. Patent 6,068,936) in view of Childress (U.S. Patent 6,479,138 B1), Lustig et al (U.S. Patent 5,632,843) and Lamonte et al (Stiffer, Thinner Packaging Films with Improved Sealing Using Cyclic Olefin copolymers).

Peiffer et al disclose a biaxially oriented polyolefin film containing cycloolefin polymer and process for the production thereof. Peiffer et al. disclose a multilayer film wherein at least one layer contains cycloolefin polymer (col. 3, lines 7-49). Polyolefins such propylene polymer, ethylene and their copolymers are disclosed (col. 7, lines 1-63). Peiffer et al disclose amount of cycloolefin with the polyolefins from 1 to 40wt% (col. 4, lines 38-44). Peiffer et al's multilayer film can be a five layer or three layers (Col. 3, lines 15-21). Peiffer et al. fail to disclose double-bubble process, cross-linking with radiation etc.

Childress discloses a multilayer low shrink biaxially oriented film which is cross linked by radiation treatment. The radiation treatment can be carried out before or after orientation (col. 6, lines 32-44). The process of making film is identical to process of Peiffer et al (col. 5, lines 16-43).

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Lustig et al. disclose a heat shrinkable biaxially oriented polyolefin film produced by a process of double-bubble process and also irradiating biaxially stretched film (Example 1).

Lamonte et al disclose that addition of cycloolefin polymer to polyolefin such as polyethylene increases the modulus, lower the haze, reduce the co-efficient of fraction and blocking, improve sealing behavior, improve moisture vapor transmission (moisture barrier) (see second paragraph under COC in Flexible films heading).

Therefore it would have been obvious to a person of ordinary skill in the art at the time of this invention made to utilize disclosures of Childress, Lusting et al and Lamonte et al in the invention of Peiffer et al to make a multilayer film using polyethylene containing cycloolefin to improve physical properties, reduce co-efficient of friction for high speed packaging application and improve moisture barrier.

No claims are allowed.

3. Receipt of Information Disclosure Statements filed May 6, 2004 and May 14, 2004 is acknowledged and all document have been made of record.

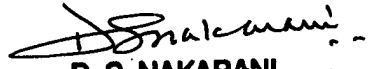
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to D. S. Nakarani whose telephone number is (571) 272-1512. The examiner can normally be reached on Tuesday-Friday from 7:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney can be reached on (571) 272-1284. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

D. Nakarani/af  
March 24, 2005

  
**D. S. NAKARANI**  
**PRIMARY EXAMINER**